

## **RECESS MEETING OF MAY 22, 2013**

Be it remembered that the Mayor and Board of Aldermen of the City of Ocean Springs met in a Recess Meeting at City Hall in the City of Ocean Springs at 6:00 p.m. on May 22, 2013. *Mayor Pro Tem* McDonnell presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer, and Hagan were present. Also present was City Clerk Shelly Ferguson. The Mayor and Alderman Dalgo were absent.

The *Mayor Pro Tem* called the meeting to order.

Alderman Cody gave the invocation and the *Mayor Pro Tem* led the Pledge of Allegiance.

### **PRESENTATION**

Mr. Stacey Ricks, Ms. Andrea Trzaska, and Ms. Jana Henderson, representatives from MEMA recognized the City of Ocean Springs with a plaque for going above and beyond the FEMA minimum flood regulations. As a result of their efforts, FEMA gave the City a Class 6 designation which results in a 20 percent reduction in the National Flood Insurance premiums for special flood hazard areas.

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENTS**

Mr. John Maas, 210 Wheaton Court, stated the recent drainage project on Mitchell Street has now caused his street to flood and asked the City to address this issue. He also commented on an incident at the Mayor's house five (5) months ago and asked why there are no reports concerning this matter.

Ms. Janie O'Keefe, representing Disability Connection, a Knight Non-profit Center in Gulfport, Mississippi, explained the item on the agenda asking the City to approve participation in the Senior Community Service Program (SCSEP) to bring part-time Disability Resource Assistant at no cost to the City and authorize the Mayor to execute the Contractual Agreement for the Services. Ms. O'Keefe stated a Disability Resource Assistant would be placed in City Hall to assist individuals who contact the office with

finding resources, especially those with disabilities, seniors, veterans and individuals at-risk. The Assistant would work 20-25 hours weekly and would be an employee of the Area on Aging. The City would provide the office space, phone and light supplies.

Mr. John McKay stated he does not believe the previous statement made by the Mayor at a recent political forum to be true and asked the aldermen to explain how the Mayor came up with the \$1.6 million that the City had in reserves and \$776,000 in emergency reserves. He further stated if it is correct then why would the City wait four (4) years to give employee raises. He also stated if the Mayor's comment is not correct, she is misleading the public.

The City Clerk explained there is an emergency fund of \$776,000; the general fund has more revenue than expenditures at this time; sales tax is up \$97,023 from this time last year and the \$600,000 will be transferred from the water and sewer account to the general fund. She further explained \$134,000 will have to be transferred from the emergency fund to the general fund to cover expenses. This will leave a reserve account of \$640,000.00.

Mr. Bubba Newman and Mrs. Shari Newman stated their concerns about the fees being charged to use the public tennis courts. Alderman at Large Cox agreed to look into the issue.

## **CONSENT AGENDA**

Motion was made by Alderman Hagan, seconded by Alderman Gill and unanimously carried to approve the Consent Agenda with exception of item (a) which was pulled by *Mayor Pro Tem* and items (t) and (u) which were pulled by Alderman Cox.

The *Mayor Pro Tem* pulled item (a) for discussion concerning Disability Connection. Alderman Cody asked about a different location rather than City Hall. He suggested the Dewey Avenue Substation. Ms. O'Keefe explained the assistant would be answering phone calls and emails. The *Mayor Pro Tem* asked if there is a hold harmless clause in the agreement. The agreement would be between the Area on Aging through the South Mississippi Planning and Development and would have an indemnity clause. Motion was made by Alderman Hagan, seconded by Alderman Denyer and unanimously carried to approve participation in the Senior Community Service Program (SCSEP) to bring part-time Disability Resource Assistant at no cost to the City and authorize the Mayor to execute the Contractual Agreement for Services, pending the legal review and approval (Exhibit 7-a).

Alderman Cox pulled item (t) for clarification concerning the advertisement of bids. Alderman Cox asked if the City would be doing work in-house on the restrooms and storage. The Parks Director agreed in-house work would be utilized and she is asking

for authorization to obtain quotes at this time. If the quotes come in high, then the bid process would be used. The Parks Director will present the plans to the Board when they are complete. Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to obtain quotes for the concession building restrooms and storage (Exhibit 7-t).

Alderman Cox pulled item (u) for clarification concerning the vacant position in the Parks Department. The Parks Director explained one of her employees transferred to the Public Works Department. She further explained one of the Public Works employee's has requested to be transferred to the Parks Department at the current rate of pay. Motion was made by Alderman Hagan, seconded by Alderman Cox and unanimously carried to transfer an employee, Billy Toche, from the Public Works Department to the Parks Department at his current rate of pay, effective date May 23, 2013 (Exhibit 7-u).

## **DEPARTMENT REPORTS**

### **City Clerk:**

The City Clerk presented an invoice from Lemon Mohler Insurance Agency in the amount of \$220,156.00 and payment to Mississippi Windstorm Underwriting Association in the amount of \$45,600.00 and policy coverage is 5/31/13-5/31/14. She also stated this is a \$15,000 reduction from last year's premium. Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to approve payment of invoice from Lemon Mohler Insurance Agency in the amount of \$220,156.00 and Mississippi Windstorm Underwriting Association in the amount of \$45,600.00 (Exhibit 8-b).

### **Police Department:**

The Deputy Police Chief stated the department will be utilizing the OSPD Reserves to increase police presence on Front Beach.

### **Fire Department:**

Alderman Cody asked for an update on the driveway issues at the next board meeting.

### **Public Works Department:**

The Public Works Director presented a letter concerning Colonial Estates (Confederate Park) outside the city limits on Reilly Road. He stated the area consisting of 30+ homes uses an undersized and overused 2" water well and as a result, causing an unhealthy and hazardous situation. He further explained Supervisor McKay has agreed to request his Board to apply for a CDBG grant with the assistance of the Jackson County Utility Authority to build the water system to City standards and including fire protection. Upon completion, the City's role would be to maintain and operate the system.

Motion was made by Alderman Hagan, seconded by Alderman Cox and unanimously carried to support and work the Jackson County Board of Supervisors and Jackson County Utility Authority in obtaining CDBG grant funding to build a water system at Colonial Estates (Confederate Park) and work with the City Attorney and City Engineer in this process. Supervisor McKay stated he will give updates to the Board of Aldermen Exhibit 8-c).

### **Community Development & Planning:**

The *Mayor Pro Tem* asked the Grants and Planning Administrator to give a final briefing on the transfer of the properties purchased with MEMA Hazard Mitigation funds to the Land Trust for the Mississippi Coastal Plain.

### **Peer Review Committee:**

Alderman Denyer reported the Police Chief asked to allow Lt. Julian Quiroz to attend a ten (10) week command school in Nashville, Tennessee. Motion was made by Alderman Cox, seconded by Alderman Hagan and unanimously carried to approve the expenditure in the amount of \$4,750.00 from the forfeiture account for training.

### **ALDERMEN'S FORUM**

The *Mayor Pro Tem* recognized Mike Impey as the newly elected Ward 6 Alderman and will be sworn in on July 1, 2013.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to authorize up to \$100 from Ward 1 Capital Improvement Account; \$100.00 from Ward 2 Capital Improvement Account; \$1,000 from Ward 4 Capital Improvement Account and \$250.00 from Alderman-at-Large Capital Improvement Account to allow an officer to attend the Driving Institute Training Program held at the Federal Law Enforcement Training Center in Georgia, contingent upon finding the balance of \$850.00 from another funding source.

Alderman Cody asked Public Works to check a live oak that appears to be dead in the area of Davidson and Bechtel. The Tree Committee will also inspect the tree on Friday.

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to adopt the Resolution Requesting that Victims of the B.P. Oil Spill be Exempted from Taxes for any Funds Received by the Commercial Fishing Industry from the B.P. Settlement Process or Future Litigation (Exhibit 9-a).

Alderman Cox discussed the cost of the recent public art project and asked the Aldermen to try and be more aware of donated items that eventually cost the City to install and maintain them.

Alderman Denyer asked the Public Works Department to install "Slow" signs on Halstead.

Alderman Hagan recognized the newly elected Ward 6 Alderman Mike Impey and commended him on running a good clean race.

Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to authorize the City Attorney to draft an ordinance stating the apartment owners and mobile home park owners not be allowed to upcharge tenants for public utility bills.

Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to authorize the City Attorney to draft an ordinance for group homes limiting those homeowners to five (5) or fewer residents and must be in compliance with any neighborhood bylaws and/or covenants.

Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to direct the Mayor to prepare a line by line breakdown of the \$1.6M she previously reported in the City's reserve account to be presented at the next board meeting.

Alderman Denyer asked the City to make a commitment that if any B.P. money is received, the Board will look at the budget before any projects are considered.

Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to adjourn until 6:00 p.m. on June 4, 2013.

Meeting ended at 7:39 p.m.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**RECESS MEETING**  
**May 22, 2012 – 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PRESENTATION**

- a) Presentation by the Federal Emergency Management Agency (FEMA) and the Mississippi Emergency Management Agency (MEMA) with a National Flood Insurance Program Community Rating System Classification Improvement Plaque (Exhibit 3-a)

**4. OLD BUSINESS**

**5. NEW BUSINESS**

- 6. PUBLIC COMMENT:** The public is invited to address the Board for up to 3 minutes. The Board will take all comments under advisement for potential action at a later date if warranted.

**7. CONSENT AGENDA\***

*\* Consent Agenda – All matters listed under Item 7, Consent Agenda, are considered to be routine by the Board of Aldermen and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

**Mayor:**

- a) Approve participation in the Senior Community Service Program (SCSEP) to bring part-time Disability Resource Assistant at no cost to the City; and authorize the Mayor to execute the Contractual Agreement for Services (Exhibit 7-a)

**City Clerk:**

- b) Approve Minutes: Regular Meeting May 7, 2013 (Exhibit 7-b)
- c) Approve Minutes: Recess Meeting May 8, 2013 (Exhibit 7-c)
- d) Approve Minutes: Special Call Meeting May 10, 2013 (Exhibit 7-d)
- e) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 7-e)
- f) Accept Action Report (Exhibit 7-f)
- g) Ratify per diem check for Nick DeCoronado in the amount of \$80.00 for trench rescue training in Pearl, Mississippi (Exhibit 7-g)
- h) Ratify per diem check for Bruce Cox in the amount of \$80.00 for trench rescue training in Pearl, Mississippi (Exhibit 7-h)

**Police Dept.:**

- i) Authorize removal of Officer Mike Britt from probationary status and placement on full time status, effective immediately and removal of Officer Jonathan Carroll from probationary status and placement on full-time status effective May 17, 2013 (Exhibit 7-i)

**Fire Dept.:**

- j) Accept Monthly Department Report (Exhibit 7-j)

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

- k) Ratify emergency repairs to the sewer lift station #101 on Highway 57 at the Ocean Springs (Exhibit 7-k)
- l) Approve transfer of Jonathan Wise from Parks and Leisure Services Department to the vacant position in the Public Works Department, at the same rate of pay, effective May 22, 2013 (Exhibit 7-l)

**Community Development & Planning:**

- m) Authorize the Mayor to execute the Memorandum of Understanding with MDOT for the 2013 Youth Corps Program Funds (Exhibit 7-m)
- n) Accept the resignation of Bryan and Cecelia Baker from the Historic Preservation Commission effective May 13, 2013 and authorize to begin the process to fill the vacancies on the Commission (Exhibit 7-n)
- o) Accept Tree Committee Report (Exhibit 7-o)

**Planning Commission:**

- p) Accept Planning Commission recommendation to approve a lot reconfiguration at 303/305 Front Beach Drive (Exhibit 7-p)

**Building Department:**

- q) Accept Building Department Report (Exhibit 7-q)
- r) Approve Building Permit for construction of an access pier with boathouse at 147 Pittman Road (Exhibit 7-r)

**Parks & Leisure Services:**

- s) Authorize employment of James Hanner, III, Parks Maintenance Worker, \$11.50 hourly, effective June 5, 2013, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit 7-s)
- t) Approve plans for concession building restrooms and storage and authorize to advertise for bids for this project (Exhibit 7-t)
- u) Authorize to begin the process to fill the vacant Parks Maintenance position (Exhibit 7-u)

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**8. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

**Police:**

**Fire:**

**Human Resources/Risk:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

- a) Update: Transfer of Properties Purchased with MEMA Hazard Mitigation Funds to the Land Trust for the Mississippi Coastal Plain (Exhibit 8-a)

**Building Department:**

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**9. ALDERMEN'S FORUM**

- a) Resolution Requesting that Victims of the B.P. Oil Spill be exempted from taxes for any funds received by the Commercial Fishing Industry from the B.P. Settlement Process or Future Litigation – Alderman Chic Cody (Exhibit 9-a)

**10. EXECUTIVE SESSION**

**ADJOURN UNTIL 6:00 P.M., JUNE 4, 2013**